US Army Corps of Engineers®
Seattle District

30 Day Notice of Availability of Draft Environmental Assessment & Clean Water Act Public Notice

Environmental & Cultural Resources Branch
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Public Notice Date: 24 April 2015
Expiration Date: 25 May 2015
Reference: EN-ER 15-07

Project Name: Kootenai River Project

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Seattle District (USACE) has prepared, pursuant to the National Environmental Policy Act, a draft environmental assessment (EA) to address the potential environmental impacts with the implementation of the Kootenai River Project downstream of Libby Dam, Lincoln County, Montana, to increase habitat complexity and prevent erosion and loss of sensitive resources. The Kootenai River Project includes two habitat restoration projects and a bank stabilization project. In addition to the draft EA, USACE has prepared a Clean Water Act Section 404(b)(1) Evaluation. The purpose of this Public Notice is to solicit comments from interested persons, groups, or agencies.

AUTHORITY

Libby Dam was authorized by Public Law No. 81 – 516, the Flood Control Act of 17 May 1950, substantially in accordance with the plan set forth in House Document 531 (81st Congress, Second Session) as part of the comprehensive plan for water resource development of the Columbia River and tributaries. House Document 531 indicates that Libby Dam is intended to provide benefits of flood control, power generation, navigation, fish and wildlife conservation, and recreation. The Columbia River Treaty provides for coordination between Canada and the U.S. on flood risk reduction and power generation and imparts significant mutual benefits across the Columbia River Basin. The reservoir created by Libby Dam was designated Lake Koocanusa by Public Law No. 91-625 dated 31 December 1970. The proposed action falls under the operation and maintenance authority of the dam. This EA is being prepared pursuant to Sec. 102(C) of the National Environmental Policy Act (NEPA) of 1969.

BACKGROUND

There is an overall lack of aquatic habitat complexity downstream of Libby Dam. Fish habitat downstream of Libby Dam is limited by lack of recruitment of large wood and sediment due to the existence of the dam. Existing large wood complexes are aged and degraded, and although they continue to function, have become less functional. In addition, the seasonal hydrograph below Libby Dam is reversed, and blockage by the dam has led to an almost total absence of recruitment of woody vegetation on existing river banks and gravel bars, though recent flow changes have allowed limited recruitment of willows, cottonwoods, and grasses and shrubs in relatively small areas. Pool formation by large wood complexes is absent. Point bar formation in the absence of sediment recruitment is non-existent. This limited fish habitat directly affects fish populations in the region. For example, trout populations have been declining in the region.

The need for this action is to address the lack of fish habitat and thereby increasing fish population. The purpose of the riverine habitat improvement sub-projects is to restore, in part, the ecosystem function of the Kootenai River immediately downstream of Libby Dam by adding features such as large woody debris and boulders.

The underlying need for the bank stabilization action is to address the ongoing degradation of sensitive resources. The purpose of the project is to provide long-term, durable, minimal-maintenance, and stabilization that curtails incremental erosion and prevents catastrophic losses of sensitive irreplaceable resources.

High flows from Libby Dam, including spill above powerhouse capacity for sturgeon and for flood risk management, have eroded the toe slope of upstream bank of Dunn Creek at the confluence with the Kootenai River in the vicinity of the sensitive resource site. In 2006, the flow regime from the dam was altered to provide a more normative hydrograph for sturgeon during the spawning period, as discussed in the 2006 *Upper Columbia Alternative Flood Control and Fish Operations Final Environmental Impact Statement* (EIS). High water events associated with fish flows and flood risk management, as well as for winter-time power production, have exacerbated bankline erosion in some areas. Cut banks, such as those at the confluence of Dunn Creek and the river, are eroding faster, and existing vegetation is unable to produce and maintain root structure, which would naturally stabilize the bankline. The 2006 EIS anticipated that the change in flow regime could create the conditions which would further affect sensitive resource sites.

PROPOSED ACTION

The Kootenai River Project consists of three sub-projects: 1) Dunn Creek Spit Instream Habitat Enhancement, 2) Mid-Channel Bar Boulder Placement, and 3) Dunn Creek Bank Stabilization. Construction is planned to begin August/September of 2015. Dunn Creek Spit Instream Habitat Enhancement project would construct three engineered log jams along the gravel bar at the confluence of Dunn Creek and Kootenai River. Mid-Channel Bar Boulder Placement project would place approximately thirty (30) boulders ranging in diameter 3 to 6 feet across the top of an existing mid-channel bar. Dunn Creek Bank Stabilization project involves placing fill material along approximately 450 linear feet of lower Dunn Creek's bank, stabilizing the toe with logs and angular rocks, refilling the space with soil, and replanting the area. The projects are located downstream of Libby Dam, Lincoln County, Montana. The Mid-Channel Bar Boulder Placement would be approximately 0.8 miles downstream of the dam, and the Dunn Creek Spit Instream Habitat Enhancement and Dunn Creek Bank Stabilization projects would be approximately 2.0 miles downstream of the dam. Best management practices (BMPs) would be implemented to minimize project impacts. Some of the BMPs would be no end dumping materials, installing a temporary deflector structure, and placing a silt fence. In addition, all the proposed actions would be constructed during low flow conditions in August/September timeframe and take up to approximately six weeks to construct including mobilization and final site clean-up.

ANTICIPATED IMPACTS

Impacts from the project are expected to include minor construction related effects on water quality, vegetation, fish and wildlife and noise. These impacts would generally be highly localized and short in duration. USACE would use BMPs to minimize potential adverse effects to aquatic and terrestrial resources. Long-term impacts associated with Kootenai River Project are expected to include beneficial effects on aquatic habitat and water quality which would offset the short-term construction related impacts. The establishment of aquatic and riparian habitats and habitat complexity needed in this area will benefit wildlife, fish, and water quality.

The work associated with the preferred alternative will occur below ordinary high water and will result in a discharge of fill material into waters of the United States and therefore does require a Section 401 water quality certification and a 404(b)(1) evaluation. USACE has requested a 401 certification from Montana Department of Environmental Quality. A 404(b)(1) evaluation was prepared for this project. USACE has determined the proposed action would not likely have an adverse effect on bull trout. Consultation pursuant to Section 7 of Endangered Species Act has been initiated.

EVALUATION

USACE has made a preliminary determination that the environmental impacts of the proposal can be adequately evaluated under the National Environmental Policy Act through preparation of an EA. USACE has made a preliminary determination that this project, with the incorporation and satisfactory execution of BMPs, will not result in significant adverse environmental impacts.

PUBLIC REVIEW PROCESS

The decision on whether to conduct the project will be based on an evaluation of the probable impact on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among these are: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

Any person who has an interest that may be affected by this project may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice, and must clearly set forth the following: the interest that may be affected, the manner in which the interest may be affected by this activity, and the particular reason for holding a public hearing regarding this activity.

USACE invites submission of factual comment on the environmental impact of the proposal. Comments will also be considered in determining whether it would be in the best public interest to proceed with the proposed project. USACE will consider all submissions received before the expiration date of this notice. The nature or scope of the proposal may be changed upon consideration of the comments received. USACE will initiate an Environmental Impact Statement (EIS), and afford all the appropriate public participation opportunities attendant to an EIS, if significant effects on the quality of the human environment are identified and cannot be mitigated.

Submit comments to the address posted at the top of this notice or to hannah.f.hadley@usace.army.mil no later than *25 May 2015* to ensure consideration. Requests for additional information should be directed to Hannah Hadley, at 206-764-6950 or the above e-mail address. The draft EA and Appendices are available at the following website: http://www.nws.usace.army.mil/Missions/Environmental/EnvironmentalDocuments/2015EnvironmentalDocuments.aspx under “Kootenai River Project”. Copies of the draft EA are also available by request.